

## PHARMACY BOARD[657]

### Notice of Intended Action

#### **Proposing rule making related to licensing sanctions regarding student loan debt or related service obligations and providing an opportunity for public comment**

The Board of Pharmacy hereby proposes to rescind Chapter 31, “Student Loan Default or Noncompliance with Agreement for Payment of Obligation,” and amend Chapter 36, “Discipline,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in 2019 Iowa Acts, Senate File 304.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, 2019 Iowa Acts, Senate File 304.

#### *Purpose and Summary*

During the 2019 Legislative Session, changes were made to the Iowa Code which will result in the repeal of Iowa Code sections 261.121 through 261.127, on July 1, 2019, and prohibit the suspension or revocation of a license issued by a board to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency. The proposed rule making implements the legislative changes.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 657—Chapter 34.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on June 25, 2019. Comments should be directed to:

Sue Mears  
Board of Pharmacy  
400 S.W. 8th Street, Suite E  
Des Moines, Iowa 50309  
Email: [sue.mears@iowa.gov](mailto:sue.mears@iowa.gov)

### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

- ITEM 1. Rescind and reserve **657—Chapter 31**.
- ITEM 2. Rescind subrule **36.6(25)**.
- ITEM 3. Renumber subrules **36.6(26)** to **36.6(44)** as **36.6(25)** to **36.6(43)**.
- ITEM 4. Adopt the following new rule 657—36.11(88GA,SF304):

**657—36.11(88GA,SF304) Prohibited grounds for discipline.** The board shall not suspend or revoke the license of a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.